



Docket No. 4612-103.1 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer No.
DIETRICH, D.	:	26817
	:	
Serial No. 10/750,299	:	Group Art Unit: 3736
	:	
Filed: December 31, 2003	:	Examiner: ASTORINO, M.
	:	
Title: LEARNING DISABILITIES DIAGNOSTIC	:	Confirmation No. 1683
SYSTEM	:	
	:	
	:	x

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR 1.132

Sir:

I, Diane Dietrich, inventor of the above-referenced application, hereby declare that:

1. I have been in the education field for 32 years as a teacher and specialist of learning disabilities in Old Bridge, New Jersey. I am familiar with the testing of visual motor skills to determine a learning disability and their application in the educational field.
2. I have a B.A. in Education from Trenton State University. I have an M.Ed. from Kean College in Education. I have an M.Ed. from Monmouth University as a learning disability specialist.
3. I am a certified learning disability specialist, certified early childhood specialist, certified principal, certified guidance counselor and certified social worker.
4. I am president of the New Jersey Learning Disabilities Association.
5. The term testing of visual motor skills is intended to include testing of the degree to which visual perception and fingerbased movements are coordinated, as defined by Keith

Beery in Beery-Buktenica Developmental Test for Visual-Motor Integration (VMI), 4th Ed. In the present invention, visual motor skills are tested by pen and paper or drawing tests to copy a developmental sequence, such as a sequence of geometric forms. The pen and paper or drawing tests are used to test integration or coordinating visual perception and motor (finger and hand movement) abilities.

6. I have reviewed U.S. Patent No. 6,299,453 to Wasowicz et al. Wasowicz et al. teach a system for determining a child's phonological awareness, processing skills and reading skills. The user interacts with the system using a keyboard, mouse or microphone with speech recognition hardware. The tests described by Wasowicz et al. do not provide adequate information for testing visual motor skills. In Wasowicz et al., the visual perception of an individual is not integrated with finger movements to provide testing of visual motor skills. In the present invention, an individual uses handwriting or drawing to coordinate a visual perception with hand movements and thereby provide the capability for testing visual motor skills.

7. Wasowicz et al. do not provide adequate information for testing of auditory skills for evaluating learning components in auditory components. Wasowicz et al. do not record speech spoken by an individual or diagnose learning disabilities based on the recorded speech. The present invention records auditory responses which are retrieved at a diagnostic station, such as for review by a medical specialist, and is capable of being used for diagnosing learning disabilities.

8. In the present invention, a diagnostic system receives the visual assessment component and auditory assessment component which are reviewed by a medical specialist, such as myself, to identify possible learning disabilities.

9. The visual assessment component of the present invention provides testing of visual motor skills. The auditory assessment component of the present invention provides testing of auditory skills. I have implemented the system of the present invention for testing of visual motor skills to individuals in combination with auditory assessment to test for learning disabilities with very favorable results.

10. The present invention has been used with parental assistance in the convenience

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of a home of an individual and has been used as an assessment for identifying learning disabilities in children 5 years old and older. The system is desirable for testing for learning disabilities outside of the school system in a remote testing environment.

11. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Dated: 12/1/04

Diane Dietrich
DIANE DIETRICH